

October 27, 2006



U.S. Department  
of Transportation

400 Seventh Street, S.W.  
Washington, D.C. 20590

**Pipeline and Hazardous  
Materials Safety Administration**

DOT-SP 14418  
(SECOND REVISION)

EXPIRATION DATE: March 31, 2007
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1. GRANTEE: Department of Defense  
Ft. Eustis, VA
2. PURPOSE AND LIMITATION:
  - a. This emergency special permit authorizes the transportation in commerce of magnesium alloys, powder in special packaging without being labeled or marked with the proper shipping name. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.
  - b. The safety analyses performed in development of this special permit only considered the hazards and risks associated with transportation in commerce. The safety analyses did not consider the hazards and risks associated with consumer use, use as a component of a transport vehicle or other device, or other uses not associated with transportation in commerce.
  - c. No party status will be granted to this special permit.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR §§ 172.301(a)(1) and 172.400 in that the packagings are not required to be marked and labeled, § 172.301(a)(3) in that the transport vehicle and freight container are not required to be marked with the identification number, and § 173.211 in that alternative packaging is authorized and additional information dated October 27, 2006.

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5. BASIS: This emergency special permit is based on the application of Department of Defense dated October 23, 2006, submitted in accordance with § 107.117 and a determination that it is necessary to prevent significant injury to persons or property.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper shipping name	Hazard Class/ Division	Identification Number	Packing Group
Magnesium alloys, powder	4.3	UN1418	II

7. SAFETY CONTROL MEASURES:

a. Packaging prescribed is a UN 4G/X 22 fiberboard box containing:

(1) The magnesium alloys, powder is in a fiber paper pouch. Four pouches are hermetically sealed in a 2.5 mil high density tri-laminate pouch.

(2) The tri-laminate pouch is further packed in a non-DOT specification intermediate fiberboard box.

(3) The gross weight of the unit may not exceed 45 pounds.

(4) Palletized unit loads of units are strapped tightly to the pallet base, capped with weather resistant fiberboard and wrapped in polymeric stretch or shrink wrap material.

(5) The outer box may contain other non-hazardous materials including foodstuff.

b. OPERATIONAL CONTROLS:

(1) The requirements to mark the package with the proper shipping name and label it with the hazard warning label are waived.

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(2) Each palletized load must be marked "Magnesium alloys, powder, 4.3, UN1418, PG II" in letters at least 1 inch in height.

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this special permit who receives a package covered by this special permit may reoffer it for transportation provided no modifications or changes are made to the package or its contents and it is reoffered for transportation in conformance with this special permit and the HMR.

b. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.

c. MARKING - Each shipping paper and package must be marked with the special permit number as required by § 172.203(a) and 172.301(c), respectively.

d. Each transport vehicle and freight container must be placarded on each side and each end with the DANGEROUS WHEN WET placard.

e. The identification number marking requirement in § 172.301(a)(3) is waived.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor Vehicle, Rail freight, Cargo aircraft, and Cargo vessel.

10. MODAL REQUIREMENTS:

(a) A current copy of this special permit must be carried aboard each aircraft, vessel or motor vehicle used to transport packages covered by this special permit. The shipper must furnish a copy of this special permit to the air carrier before or at the time the shipment is tendered.

(b) For shipments by cargo air the Notification to the Pilot in Command must include special handling instructions in the event of an incident involving the material covered by this special permit.

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11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq.
- o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
  - o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
  - o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this special permit, including display of its number, when this special permit has expired or is otherwise no longer in effect.

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)- 'The Hazardous Materials Safety and Security Reauthorization Act of 2005' (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term 'exemption' to 'special permit' and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of

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this special permit must notify the Associate Administrator for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:

A handwritten signature in blue ink, appearing to read "Robert A. McGuire", is written over a horizontal line.

for Robert A. McGuire  
Associate Administrator  
for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Material Safety Administration, U.S. Department of Transportation, 400 Seventh Street, SW, Washington, D.C. 20590.  
Attention: PHH-31.

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at [http://hazmat.dot.gov/sp\\_app/special\\_permits/spec\\_perm\\_index.htm](http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm)  
Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: LAVALLE